

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

SOUTHERN POVERTY LAW CENTER,

*Plaintiff,*

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, *et al.*,

*Defendants.*

Civil Action No. 18-0760 (CKK)

**PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER**

Pursuant to Federal Rule of Civil Procedure 65(b), Plaintiff Southern Poverty Law Center (“SPLC”) respectfully moves this Court for the entry of a temporary restraining order directing Defendants to remove access barriers and remedy the dangerously punitive conditions at the four detention facilities at issue in this case.

Specifically, SPLC respectfully moves this court to issue an order providing the following relief at Pine Prairie ICE Processing Center, Irwin County Detention Center, and Stewart Detention Center:

1. That Defendants provide a ratio of at least one telephone or video telecommunication (“VTC”) console per ten detained persons in each facility, as required by PBNDS 5.6(V)(A)(1).
2. That Defendants provide privacy and confidentiality for telephone and VTC communications between detained persons and their attorneys (including attorney legal staff and their agents), as required by PBNDS 5.6(V)(F)(2).

3. That Defendants refrain from limiting the number and duration of legal phone or VTC calls between detained persons and attorneys (or their legal staff and agents), as required by PBNDS 5.6(V)(F)(1).
4. That Defendants make all legal telephone calls from detained persons free of charge, as required by PBNDS 5.6(V)(E).
5. That Defendants maintain their phone and VTC systems in proper working order, as required by PBNDS(V)(A)(3)–(4).
6. That Defendants designate persons authorized as points of contact at each facility to relay any issues with scheduling VTC or legal calls or to address issues concerning the quality and confidentiality of those call.
7. That Defendants create, implement, and advertise a process by which attorneys and detained immigrants may schedule confidential telephone calls and VTC within 24 hours of the request, to take place between 8:00 a.m. and 8:00 p.m.

Further, SPLC respectfully moves this court to issue an order providing the following relief at all four detention facilities at issue in this case, LaSalle ICE Processing Center, Pine Prairie ICE Processing Center, Irwin County Detention Center, and Stewart Detention Center:

1. That Defendants implement a system that requires Deportation Officers to provide immigrants and their attorneys confirmation of receipt of any parole request or custody redetermination requests within 24 hours and to provide a final determination within seven (7) days.
2. That Defendants create, implement, and advertise a process by which attorneys and detained immigrants may exchange confidential documents electronically, whether via email or fax.

3. That Defendants advertise and maintain a schedule for cleaning the shared telephones, video teleconference rooms, law library, and library.
4. That Defendants provide persons detained with sufficient gloves, masks, as well as antibacterial wipes and hand sanitizer, such that immigrants may safely access counsel through VTC or legal calls without further risk of exposure to the virus.
5. That All of the above relief shall be made available to detained immigrants who are quarantined.
6. Any other such relief as the Court deems just and proper.

In support of this Motion, Plaintiff submits the attached Memorandum of Points and Authorities in Support as well as the attached Declarations. As set forth more fully in the Memorandum of Points and Authorities, SPLC is substantially likely to succeed on the merits of its clients' Fifth Amendment claims. SPLC's clients, and others seeking but obstructed from obtaining SPLC's services, will suffer irreparable harm in the absence of emergency relief. The balance of equities and the public interest favor restraining Defendants from violating SPLC's clients' constitutional rights.

Dated: May 7, 2020

Respectfully submitted,

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*\*Admitted Pro Hac Vice*